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PART I

Punjab Government Notifications and Orders

GOVERNMENT OF PUNJAB

DEPARTMENT OF LOCAL GOVERNMENT

PUNJAB MUNICIPAL BHAWAN, PLOT NO.3, SECTOR 35-A, CHANDIGARH.

NOTIFICATION

The 13th June, 2023

No.05/13/2020-1LG4/438.-The State of Punjab in the past few years has seen a sudden spurt in the deaths, injuries that are caused by stray animals. While the local authorities are continuously working to curb the menace of stray animals throughout the State of Punjab, but need of hour is required to contemplate and make a policy that deals with regulates the menace of stray animals and simultaneously compensates the families who lose their lives. when attacked by stray animals and those who get injured by it. Hon'ble Punjab and Haryana High Court on many occasions observed that a policy to compensate the victims of stray animal attack is required. So, in compliance of orders of Hon'ble Punjab and Haryana High Court in CWP no. 26758 of 2018 titled as, "Hakam Singh versus State of Punjab and other and connected matter and with the view to establish uniformity in regulating the stray animal within the State of Punjab and providing compensation to the victims of stray animal attack, the present policy is being framed. The ponds, prevention of cattle trespass and taxes are State subjects and are listed at entry no. 16 and 58 of State List of Schedule VII read with Article 246 of the Constitution of India. Following comprehensive policy for compensation to the victims of animal attacks and accidents is made as under:

PRELIMINARY

1 **Short titled and commencement:-**

1) The present policy shall be called, "The Punjab Compensation to the Victims of Animal Attacks and Accidents Policy, 2023".

(2) It shall apply throughout the State of Punjab.

(3) It shall come into force on the date of its notification in the Official Gazette.

2 **Definitions:-**

In this policy, unless the context otherwise requires,-

(a) "Animal" means any Dog, Bull, Horse, Cow, Calf, Pony or any other stray animal.

(b) 'Animal Welfare Organization' means and includes the society for prevention of cruelty to animals and any other welfare organization for animals which is registered under the Societies Registration Act, 1860 (21 of 1860), or any other corresponding law for the time being in force and which is recognized by theAnimal Welfare Board of India constituted under the Prevention of Cruelty to Animals Act, 1960 (59 of 1960):

(c) "Animal Attack/accident Compensation Committee means committee appointed under rule 4 of the Policy or modified by the Government time to time.

(d) "Competent Authority" means concerned Commissioner of concerned Municipal Corporations, Executive Officer of concerned Municipal Councils/Nagar Panchayats, Sarpanch of concerned Gram Panchayats, Executive Offices of concerned Panchayat Samities, Chief Executive Officer-cum-Additional Deputy Commissioner (Development) concerned Zila Parishids or any other authority appointed by the government for the purpose of this policy.

(e) "Stray animal" means an ownerless animal (male/female) found straying around within State of Punjab.

(f) "Veterinary doctor" means a person who holds a degree of a recognized veterinary college and is registered with the Indian Veterinary Council.

COMPENSATION AND PROCEDURE

3 **Grant of compensation for accident, attack or death with stray animal:-** Whosoever is the victim of the attack by any stray animal or accident caused due to stray animal shall be eligible for compensation as provided in this policy.

4. **Animal Attack/accident Compensation Committee to determine Compensation.**

(1). There shall be an Animal Attack/Accident Compensation Committee for each district to determine the amount of compensation to be granted to the victims as caused by accidents/attacks or deaths with stray animals.

(2). The Animal Attack/Accident Compensation Committee shall consist of following officers-

(i)	Deputy Commissioner	(Chairman)
(ii)	Additional Deputy Commissioner (Urban Development/General)	(Member)
(iii)	Additional Deputy Commissioner (Development)	(Member)
(iv)	Superintendent of Police, Traffic	(Member)
(v)	District Transport Officer	(Member)
(vi)	Chief Medical Officer	(Member)
(vii)	Deputy Director (Animal Husbandry)	(Member)

5. **Application for grant of compensation under the policy:** The victim of the attack of animal shall file an application in Form-A to the Animal Attack/Accident Compensation Committee for grant of compensation as per the provisions of this policy.

6. **Notice to the concerned Competent Authority:**

(1) The Animal Attack/Accident Compensation Committee on receiving such application having complete information as required under Clause 5, shall issue notice to the concerned Competent Authority under whose jurisdiction such accident has happened.

(2) The concerned competent authority or authority authorized by the same shall verify the facts and submit its recommendations within the specified period as given by the Animal Attack/Accident Compensation Committee.

(3) In case, if the Animal Attack/Accident Compensation Committee feels any doubt Regarding the grounds of death of a deceased person, the committee may mark an inquiry or appoint any local commissioner to determine the factual facts of the happening of such incident as caused by stray animal.

(4) The Animal Attack/Accident Compensation Committee shall examine the causes/grounds of death of a deceased person on the basis of contents as mentioned in FIR as well as the facts as mentioned under section 174 of CrPc 1973.

7 **Award of compensation by the Animal Attack/Accident Compensation Committee:**

The Animal Attack/Accident Compensation Committee shall award the compensation to the legal heirs of the deceased person or to the permanently incapacitated Victim of attack after hearing the parties concerned and shall also pass detailed order of award of compensation or denying the same on merit of the case.

(8) **Compensation to be paid:**

(1) In case of death, the amount of compensation to the legal heirs of a deceased person shall be Rs. Five lakh.

(2) In case of permanent incapacitation as certified by Civil Surgeon, the amount of compensation shall be Rs. Two lakh.

(9) **Fund for compensation: -**In rural areas, the concerned Panchayati Raj Bodies and in urban areas, concerned Municipal Councils/Nagar Panchayats or Municipal Corporations shall be responsible to pay the award of compensation as determined by Animal Attack/Accident Compensation Committee from their own sources. In case, Gram Panchayats, Panchayat Samities or Zila Parishads do not have sufficient funds, then the Chief Executive Officer cum Additional Deputy Commissioner (Development) will send a proposal for demand of funds to Department of Rural Development and Panchayats. In the cases where Gram Panchayats, Panchayat Samities, Zila Parishads, Nagar Panchayats, Municipal Councils or Municipal Corporations do not have adequate funds in order to pay the award of compensation as determined by Animal Attack/Accident Compensation Committee, the State Government shall arrange the adequate funds in order to pay the amount of compensation to the victim.

10. **Authorities liable to pay compensation:** The concerned Urban Local Authority or Rural Development Department Authority shall be responsible for grant of compensation to the victim of such stray animal attack/death happened within its jurisdiction.

Provided that applicant victim deponent shall make such authority as respondent to prove the case against the same.

11. **Disqualification for grant of compensation under this policy:** No person shall be eligible for grant of compensation under this policy if:-

Animal Attack/Accident Compensation Committee concludes that there are no grounds and valid facts to believe that the death of a deceased person or incapacitation has been caused by stray animal in an accident as mentioned in FIR/DDR, The Animal Attack/Accident Compensation

Committee can reject the claim for grant of compensation of the victim.

12. **Limitation:-** No claim made by the victim or dependent(s) shall be entertained after a period of one year from the date of occurrence of the accident with stray animal. However, in deserving cases, if the Animal Attack/Accident Compensation Committee finds valid reasons for the delay beyond one year, then the committee can condone such delay.

No such application can be entertained after three years of occurrence of accident.

13. This policy shall be effective from the date of its notification.

Form-A

The Animal Attack/Accident Compensation Committee.....

1	Name, Age and Address of the Victim.
2	Details of Driving License and Valid Registration Certificate of Vehicle of Victim (in case of accident of vehicle with animal). Attach the copy of Registration Certificate and Driving License.
3	Date and Place of Accident along with information about the local authority having control over the area, Record of Registration of FIR/DDR, Report of 174 CRPC, Record of Medical Legal Report, Death Certificate, Factual details, Position about accident, certificate of Legal Heirs. All relevant documents as mentioned above be attached.
4	In case of permanent incapacitation, attach the certificate of concerned Civil Surgeon.
5	Claim/Relief
	All the contents of Application must be supported with a duly sworn notarized affidavit.

AJOY SHARMA, IAS
Secretary to Government of Punjab
Department of Local Government

Chandigarh
The 12th June, 2023

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